

Serial No. 09/589,787
Client Reference No. 80168.0315
Response to Final O/A dated 01/22/2004
Via Facsimile

REMARKS/ARGUMENTS

Claims 1-21 are pending in the present case. Claims 1-21 are finally rejected. Claims 1, 8, and 15 have been amended.

Claims 1-21 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 1, 8, and 15 have been amended to remove the recitation of the term "safely". Claims 1, 8, and 15, as amended, are deemed to be allowable under 35 USC 112, second paragraph. The remaining dependent claims are also deemed to be allowable as depending upon an allowable base claim.

Claims 1-21 stand rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,125,352 to Franklin et al in view of US Patent No. 1,657,411 to Scherbius further in view of US Patent No. 5,884,312 to Dustan et al. The rejection of claims 1-21 is respectfully traversed.

Claims 1, 8, and 15 all contain a limitation neither taught nor suggested by the combination of references cited by the Examiner. Specifically, claims 1, 8, and 15 recite "a re-constructed document". Support for this term can be found in the specification at, inter alia, page 8, line 4 through page 9, line 20. In part, a reconstructed document would be sent "when an error occurs in a two field password entry, or another type of error occurs". It is deemed that the references cited by the Examiner do not include this bona fide limitation found in all of the independent claims 1, 8, and 15.

In contrast, Franklin et al teaches only that if "the password is incorrect, the purchase is not authorized and the next subgroup of products is identified whereupon step 1222 repeats." (Column 28, lines 3-5). Franklin et al does not teach the resending and reconstruction of the document as claimed.

Scherbius is of course silent on any aspect of resending or reconstructing a document.

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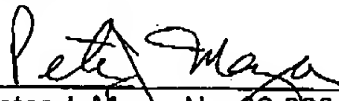
Dustan et al teaches a method of incrementing a failed logon variable and the issuance of an error message when this variable is equal to three, but does not appear to explicitly teach the use of a resent and reconstructed document as claimed. (Column 17, line 55 through column 18, line 6.) Further, the motivation for using the present invention is to prevent "an unauthorized user accessing the cache [and discovering] the password as reconstructed in clear text in the HTML code of the documents and later maliciously [using] the password" (Application, page 9, lines 7-10), and not breaking into another's session as proffered by the Examiner (Dustan et al, column 2, lines 25-31).

For these reasons, neither Franklin et al, nor Scherbius, nor Dustan et al, nor the combination thereof fairly teach or suggest all of the limitations of amended claims 1, 8, and 15. Claims 1, 8, and 15 are deemed to be patentable over Franklin et al, Scherbius, and Dustan et al taken either singly or in combination and are thus deemed to be allowable under 35 USC 103(a). Further, there is no motivation to combine the references in the manner suggested by the Examiner to solve the problem addressed by the present invention. Remaining claims 2-7, 9-14, and 16-21 are deemed to be allowable as being dependent upon an allowable base claim.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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Peter J. Meza, No. 32,920
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(719) 448-5906 Tel
(303) 899-7333 Fax